

1 ISMAIL J. RAMSEY (CABN 189820)  
United States Attorney  
2 MICHELLE LO (NYRN 4325163)  
Chief, Civil Division  
3 VALERIE E. SMITH (NYRN 5112164)  
Assistant United States Attorney

4           450 Golden Gate Avenue, Box 36055  
5           San Francisco, California 94102-3495  
6           Telephone: (415) 436-6985  
7           FAX: (415) 436-6478  
8           Valerie.smith2@usdoj.gov

9 Attorneys for Defendant

FILED

Oct 20 2023

Mark B. Busby  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

12 US RIGHT TO KNOW,  
13           Plaintiff,  
14           v.  
15 UNITED STATES DEFENSE  
16 INTELLIGENCE AGENCY,  
17           Defendant.

CASE NO. 23-cv-2936-TSH

**STIPULATION AND [PROPOSED] ORDER RE  
CASE MANAGEMENT CONFERENCE AND  
ASSOCIATED DEADLINES**

28 STIPULATION AND [PROPOSED] ORDER RE CASE MANAGEMENT CONFERENCE AND ASSOCIATED  
DEADLINES

NO. 23-CV-2936 TSH

1 Plaintiff, US Right to Know (“Plaintiff” or “USRTK”) and Defendant, the United States Defense  
2 Intelligence Agency, submit this stipulation pursuant to Local Civil Rule 6-2 to continue the initial case  
3 management conference and associated deadlines from October 26, 2023 to November 30, 2023 at 10:00  
4 a.m.

5 **STIPULATION**

6 WHEREAS, Plaintiff, US Right to Know filed a Freedom of Information Act (“FOIA”) complaint  
7 on June 14, 2023. ECF No. 1.

8 WHEREAS, the Defendant, United States Defense Intelligence Agency (“DIA” or “the Agency”),  
9 provided a final response to Plaintiff’s FOIA request on August 22, 2023 and an amended final response  
10 on August 23, 2023. On August 23, 2023, the Agency filed a response to the Complaint and a corrected  
11 answer on August 24, 2023. ECF Nos. 23, 24.

12 WHEREAS, the parties are working together cooperatively in this case. On August 23, 2023,  
13 Defendant provided Plaintiff with an amended response to Plaintiff’s FOIA request which included one  
14 agency record responsive to the Request, and one agency record on which exemptions have been applied.  
15 On August 31, 2023, the Court entered a Stipulation and Order extending the initial case management  
16 conference and all associated deadlines from September 14, 2023 to October 26, 2023. ECF No. 25.

17 On September 5, 2023, Plaintiff requested that Defendant provide a short *Vaughn* Index for the  
18 information withheld according to the production. Defendant sent a preliminary *Vaughn* Index to counsel  
19 for Plaintiff on October 3, 2023. On October 5, 2023, Plaintiff informed Defendant that in order to review  
20 the exemptions, it needed a clearer copy of Defendant’s *Vaughn* Index. As of today, Defendant is working  
21 to provide Plaintiff with a second version of the *Vaughn* Index and anticipates being able to provide it by  
22 November 2, 2023. As such, this continuance will provide Defendant with sufficient time to obtain a  
23 second version of the Index. This continuance will also provide Plaintiff with the additional time  
24 necessary to review the Index and determine whether there are any disputes remaining. If so, this  
25 continuance will provide the parties with the necessary time to discuss any remaining issues without the  
26 need for judicial intervention.

27 WHEREAS, the requested continuance is not expected to have any adverse impact on the schedule  
28

1 for the case and serves the judicial economy by allowing the parties additional time to attempt to resolve  
2 this matter without the need for further judicial intervention,

3 AS SUCH, it is hereby stipulated by and between the parties, through the undersigned counsel that  
4 the initial case management conference, along with the associated deadlines is continued from October  
5 26, 2023 to November 30, 2023 at 10:00 a.m.

6 DATED: October 19, 2023

ISMAIL J. RAMSEY  
United States Attorney

7 /s/ Valerie E. Smith\*  
8 VALERIE E. SMITH  
9 Assistant United States Attorney

10 Attorneys for the Federal Defendant

11 /s/ Daniel C. Snyder  
12 DANIEL C. SNYDER

13 /s/ Lily Anne Rivo  
14 LILY ANNE RIVO  
GREENFIRE LAW, PC

15 Attorneys for Plaintiff

16 \*In compliance with Civil Local Rule 5-1(i)(3), the filer of this document attests under penalty of perjury  
17 that all signatories have concurred in the filing of this document.

1                   **[PROPOSED] ORDER**

2                   Pursuant to the stipulation of the parties and good cause appearing, IT IS HEREBY ORDERED  
3 that the case management conference currently scheduled for October 26, 2023 at 10:00 a.m. is continued  
4 to 11/30/2023. A case management statement shall be filed seven days before the case management  
5 at 10:00 AM.  
conference.

6 IT IS SO ORDERED.

7 Date: October 20, 2023



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THE HON. THOMAS S. HIXSON  
UNITED STATES MAGISTRATE JUDGE